

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN**

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WASHING MACHINE MAN, LLC,

Plaintiff,

Case No.: 20-CV-1559

v.

MID-CENTURY INSURANCE COMPANY,

Defendant.

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**NOTICE OF REMOVAL**

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To: Washing Machine Man, LLC  
Mr. Monte E. Weiss  
Weiss Law Office, S.C.  
1017 W. Glen Oaks Lane  
Suite 207  
Mequon, WI 53092  
--Attorneys for Plaintiff

**PLEASE TAKE NOTICE** that Mid-Century Insurance Company, by its attorneys, CRIVELLO CARLSON, S.C., pursuant to 28 U.S.C. §§ 1441(b) and 1446, file this Notice of Removal with the Court. The grounds for removal of this action are as follows:

1. A civil action designated as Case No. 20-CV-5045 has been commenced and is now pending in the Circuit Court for Milwaukee County, Wisconsin, between the above-named parties.

2. On August 26, 2020, the plaintiff filed the Summons and Complaint in the Circuit Court for Milwaukee County, Wisconsin. A true and correct copy of the Summons and Complaint is attached as **Exhibit A**.

3. On August 26, 2020, the plaintiff filed an Amended Summons and Complaint in the Circuit Court for Milwaukee County, Wisconsin. A true and correct copy of the Amended Summons and Complaint is attached as **Exhibit B**.

4. On September 11, 2020, the Amended Summons and Complaint was served on Defendant Mid-Century Insurance Company's registered agent for service of process by plaintiff's counsel through its registered agent located at 8040 Excelsior Drive, Suite 400, Madison, WI 53717. The summons required an answer or appearance to be filed within 45 days. A true and correct copy of the affidavit of service is attached as **Exhibit C**.

5. On October 7, 2020, Mid-Century Insurance Company filed its Notice of Appearance in the Circuit Court for Milwaukee County, Wisconsin, and served all parties who have appeared in Case No. 20-CV-5045. A true and correct copy of the Notice of Appearance is attached as **Exhibit D**.

6. The State Court Action is within the original jurisdiction of this Court pursuant to 28 U.S.C. § 1332, and is a civil action wholly between citizens of different states.

a. Plaintiff is Wisconsin corporation. See **Exhibits A & B**. The Defendant, Mid-Century Insurance Company, is a California corporation organized on December 3, 1949, with its principal place of business in Woodland Hills, California. See **Exhibit E**, a true and correct copy of Mid-Century Insurance Company's Civil Cover Sheet.

b. The above-described action is a civil action seeking reformation of a commercial insurance policy issued to Plaintiff by Mid-Century Insurance Company. In both the original and amended complaint, Plaintiff seeks damages "well in excess of the \$75,000 limits" provided by the reformed. See **Exhibits A & B**. Plaintiff also alleges

that coverage must be in an amount of at least \$600,000, indicating that Plaintiff is seeking an amount above the jurisdictional threshold. See **Exhibit B** at ¶29.

c. The case is properly venued in that plaintiff is within the jurisdiction of the Eastern District of Wisconsin, and that the damages for which insurance coverage is sought occurred within the Eastern District of Wisconsin.

d. This Notice of Removal is timely under Section 1446(b) of Title 28 of the United States Code because the time permitted by statute for filing has not expired.

7. Concurrent with the filing of this Notice of Removal, this defendant, by its attorneys, will notify all active parties and the Clerk of the Circuit Court for Milwaukee County that this case is the subject of a petition for removal in the United States District Court for the Eastern District of Wisconsin, as required by 28 U.S.C. § 1446(d).

**JURY DEMAND FOR ALL FACTUAL ISSUES**

Pursuant to Rule 38(b) of the Federal Rules of Civil Procedure, Defendant hereby demands trial by jury on all factual issues pertaining to Plaintiff's claim seeking to reform its policy of insurance.

Dated this 9<sup>th</sup> day of October, 2020.

CRIVELLO CARLSON, S.C.  
Attorneys for Mid-Century Insurance Company,

By: Stacy K. Luell  
DONALD H. CARLSON  
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STACY K. LUELL  
State Bar No: 1036160

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